

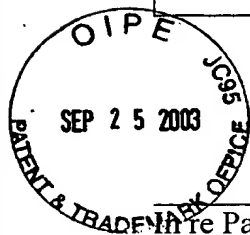
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 22, 2003

Signature: 

(Li-Hsien Rin-Laures, M.D.)

Docket No.: 30566/30021  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Bennett, *et al.*

Application No.: 09/918,186

Group Art Unit: 1635

Filed: July 30, 2001

Examiner: S. McGarry

For: ANTISENSE MODULATION OF SURVIVIN  
EXPRESSION

**RESPONSE TO MARCH 21, 2003 OFFICE ACTION**  
**WITH PETITION FOR EXTENSION OF TIME AND**  
**REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In an Office Action (the "Action") mailed March 21, 2003, claims 1, 7-10, 14 and 15 were rejected under 35 U.S.C. § 112, first paragraph. Reconsideration is respectfully requested in light of the following remarks. This response is timely filed with a petition for a three month extension of time. A request for continued examination is also submitted herewith. The Commissioner is authorized to charge any fee deficiencies or additional fees required in connection with this application to Marshall, Gerstein & Borun Deposit Account No. 13-2855.

**REMARKS**

Claims 1, 7-10, 14 and 15 are currently pending. Claim 1 is directed to a method of inhibiting expression of survivin in human cells or tissues. Claim 7 is directed to a method of modulating cytokinesis in a cell. Claim 8 is directed to a method of modulating the cell cycle in a cell. Claim 9 is directed to a method of inhibiting proliferation of cells. Claim 10 is dependent from claim 9 and specifies that the cells are cancer cells. Claims 14



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No.: 30566/30021

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the following application:

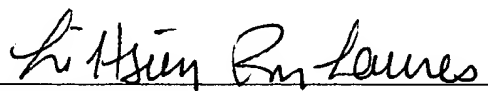
**Application**

Application Serial No:	09/918,186
Filed on:	July 30, 2001
Inventors:	Bennett et al.
Title:	ANTISENSE MODULATION OF SURVIVIN EXPRESSION
Art Unit:	1635
Examiner:	S. McGarry
Attorney Docket No.:	30566/30021

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**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this Request for Continued Examination (RCE) is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450, transmitted to the U.S. Patent and Trademark Office on September 22, 2003.

  
Li-Hsien Rin-Laures, M.D.

09/26/2003 BABRAHA1 00000051 09918186

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**1. Submission required under 37 C.F.R. §1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on date of amendment/reply.  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. ☐ Other

**3. Fees**

- a. ☐ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-2855.
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee 37 C.F.R. §§ 1.136 and 1.17(a)
- iii. ☐ Other
- b. ☒ Check in the amount of \$750.00 for the filing fee and \$930.00 for a three-month extension of time are enclosed.

4. **Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

5. **Correspondence Address**

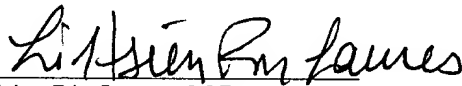
Customer No. 36324

Please direct all future communications to Li-Hsien Rin-Laures, M.D., at the address below.

Respectfully submitted,

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By:

  
Li-Hsien Rin-Laures, M.D.  
Reg. No: 33,547

September 22, 2003